

EXHIBIT

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July 26, 2019

VIA E-MAIL (mmclaren@blackmclaw.com) ONLY

Michael McLaren
Black McLaren Jones Ryland & Griffey
530 Oak Court Drive
Suite 360
Memphis, TN 38117

Re: *Turnage, et al. v. Oldham, et al./Defendants' Response to Letter*

Dear Mike:

You sent a letter to Defendants dated May 22, 2019 regarding depositions of certain individuals, depositions of 30(b)(6) witnesses and potential deposition dates. Although Bob and/or I have discussed these issues with Bill Burns and now with you after the hearing on Wednesday, July 10th, I wanted to respond in writing to your letter on behalf of Defendants.

We asked the following questions and made the following statements regarding your letter:

1. Defendants are not opposed to the concept of depositions regarding class discovery. This group of depositions would also include the named plaintiffs;
2. It is Defendants' position we should not take depositions until all of the named Defendants are before the Court. The Court recently granted Tetrus an extension of time until August 6th to respond to Plaintiffs' Seventh Amended Complaint. The new Defendants were not copied on your letter and do not have copies of any of the discovery that has been conducted to date;
3. Most of the deposition dates in your letter will have passed by August 6th;
4. Defendants have requested topics for the 30(b)(6) witnesses but have not received them. It is unclear what topics relevant to class discovery you would expect each defendant to have information or knowledge;
5. The current Scheduling Order includes a September 6th deadline for mediation and other rapidly approaching deadlines. Due to the search terms and production of documents issues and other case related issues, it is unlikely the parties will meet the current deadlines in the Scheduling Order;



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6. Based on past statements by Plaintiffs' counsel, you would propose a revised Scheduling Order. We again discussed Plaintiffs' providing a revised Scheduling Order after the July 10th hearing. We look forward to receiving your proposed Scheduling Order and working with you regarding the proposed dates and related issues; and
7. Defendants propose Tracy Shaw at Howell & Fisher in Nashville as the mediator in this matter. Some or all of the new Defendants do not have any information at this point regarding this case and are not prepared to mediate until they have obtained copies of the discovery to date and can make a determination as to what else is necessary for a mediation.

If you have any questions, please contact me.

Thank you for your assistance.

Sincerely,

WYATT, TARRANT & COMBS, LLP

A handwritten signature in black ink, appearing to read "Odell". Below the signature, the name "Odell Horton, Jr." is printed in a smaller, standard font.

cc: Frank L. Watson, III (via e-mail only)
William F. Burns (via e-mail only)
Claiborne Ferguson (via e-mail only)
William E. Cochran, Jr. (via e-mail only)
John C. Ryland (via e-mail only)
Daniel Owen Lofton (via e-mail only)
Matthew Charles Gulotta (via e-mail only)
Joseph S. Ozment (via e-mail only)
Warren Patrick Campbell (via e-mail only)
William E. Routt, III (via e-mail only)
Bradley Trammell (via e-mail only)
Beth Petronio (via e-mail only)
Steven George Wilson (via e-mail only)
Brice Timmons (via e-mail only)
Albert G. McLean (via e-mail only)



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Douglas F. Halijan (via e-mail only)
William Irvine (via e-mail only)
Kevin Bernstein (via e-mail only)
James L. Murphy (via e-mail only)
Thomas Swafford (via e-mail only)
Jessalyn H. Zeigler (via e-mail only)
Michael Kapellas (via e-mail only)
Brandon Bundren (via e-mail only)
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OH/mb